

House File 796 - Introduced

HOUSE FILE _____
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 13)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the provision of services over certain Iowa
2 communications network connection facilities under specified
3 circumstances.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1296HV 83
6 rn/nh/8

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1 1 Section 1. Section 8D.13, subsection 5, Code 2009, is
1 2 amended to read as follows:
1 3 5. a. The state shall lease all fiberoptic cable
1 4 facilities or facilities with ~~DS=3~~ sufficient capacity, as
1 5 ~~determined by the commission,~~ for Part III connections for
1 6 which state funding is provided. The state shall lease all
1 7 fiberoptic cable facilities or facilities with ~~DS=3 or DS=1~~
1 8 sufficient capacity, as determined by the commission, for the
1 9 judicial branch, judicial district department of correctional
1 10 services, and state agency connections for which state funding
1 11 is provided. In determining the capacity to be provided, the
1 12 commission shall consult with the judicial branch, judicial
1 13 district department of correctional services, and state
1 14 agencies associated with connections for which state funding
1 15 is provided. Such facilities shall be leased from qualified
1 16 providers. The state shall not own such facilities, except
1 17 for those facilities owned by the state as of January 1, 1994.
1 18 b. The lease provisions of this subsection do not apply to
1 19 a school district which elects to provide one hundred percent
1 20 of the financing for the district's connection.
1 21 c. Notwithstanding any provision to the contrary, the
1 22 state shall not provide funding for capacity in excess of
1 23 forty-five mega bits per second with respect to those Part III
1 24 connections for which state funding is provided. This
1 25 subsection shall not preclude an authorized Part III user from
1 26 requesting additional capacity so long as the authorized Part
1 27 III user provides one hundred percent of the funding necessary
1 28 to provide the additional capacity.

EXPLANATION

1 29 This bill relates to the provision of services over leased
1 30 Iowa communications network connection facilities. Currently,
1 31 the state is required to lease all fiberoptic cable facilities
1 32 or facilities with DS=3 capacity for Part III connections for
1 33 which state funding is provided. The state is also required
1 34 to lease all fiberoptic cable facilities or facilities with
2 1 DS=3 or DS=1 capacity for the judicial branch, the judicial
2 2 district department of correctional services, and state agency
2 3 connections, for which state funding is provided.

2 4 The bill deletes references to DS=3 or DS=1 capacity,
2 5 providing instead that the state shall lease fiberoptic cable
2 6 facilities or facilities with "sufficient" capacity, as
2 7 determined by the Iowa telecommunications and technology
2 8 commission. In making this determination, the bill provides
2 9 that the commission shall consult with the judicial branch,
2 10 judicial district department of correctional services, and the
2 11 state agencies associated with the connections for which state
2 12 funding is provided.

2 13 The bill also provides that the state shall not provide
2 14 funding for capacity in excess of 45 mega bits per second for
2 15 Part III connections for which state funding is provided, but
2 16 that this does not preclude an authorized Part III user from
2 17 requesting additional capacity if the user provides 100

2 18 percent of the funding necessary to provide it.
2 19 LSB 1296HV 83
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